

3-29-00

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JC685 U.S. PTO  
03/28/00

EXPRESS MAIL RECEIPT NO.: EK532449806US  
DEPOSITED ON MARCH 28, 2000

PATENT  
Dkt. 22993

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

JC564 U.S. PTO  
09/537816  
03/28/00

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): **Stephen R. Genheimer; Kenneth L. Pottebaum; Jon P. Baker; John D. Stricklin**

For (title): **ACTUATOR ASSEMBLY MOUNTED DISC SNUBBER (As Amended)**

1. **Type of Application**

This transmittal is for a continuation application.

2. **Benefit of Prior U.S. Applications (35 U.S.C. Sections 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. applications.  
Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE  
BENEFIT OF PRIOR U.S. APPLICATIONS CLAIMED.

3. **Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153  
(Design) Application

18 Page(s) of Specification  
7 Page(s) of Claims  
5 Sheet(s) of Drawing(s)--Informal

**B. Other Papers Enclosed**

8 Page(s) of declaration and power of attorney (copy as filed in parent application  
09/114,956 filed July 13, 1998)

1 Page(s) of abstract

1 Page(s) of Return Receipt Postcard

**4. Additional Papers Enclosed**

Preliminary Amendment

Information Disclosure Statement (37 C.F.R. 1.98) (copy as filed in parent application  
09/114,956 filed July 13, 1998)

Form PTO-1449 (PTO/SB/08A and 08B)

Notice of Filing of Continuing, Divisional or Continued Application

**5. Declaration or Oath**

Enclosed Combined Declaration and Power of Attorney

Executed by inventors: Stephen R. Genheimer, Kenneth L. Pottebaum, Jon P.  
Baker and John D. Stricklin

**6. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**7. Language**

English

**8. Assignment**

A copy of assignment as filed in the parent application 09/114,956 filed July 13, 1998, of  
the invention to SEAGATE TECHNOLOGY, INC. is attached. A separate FORM PTO  
1595 is also attached.

9. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

**A Preliminary Amendment is enclosed which cancels claims 1-17, and adds new claim 18. The following fees are figured accordingly for the pending claim 18.**

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**CLAIMS AS FILED**

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Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) <b>\$690.00</b>
<hr/>					
Total Claims (37 CFR 1.16(c))	1	- 20 =	0 x	\$18.00	\$0.00
<hr/>					
Independent Claims (37 CFR 1.16(b))	1	- 3 =	0 x	\$78.00	\$0.00
<hr/>					
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$260.00	\$0.00

Amendment cancelling extra claims is enclosed.

Filing Fee Calculation

**\$690.00**

10. **Fee Payment Being Made at This Time**

Enclosed

Filing Fee

**\$690.00**

**Total Fees Enclosed**

**\$690.00**

**11. Method of Payment of Fees**

Check in the amount of \$690.00 is attached.

**12. Authorization to Charge Additional Fees**

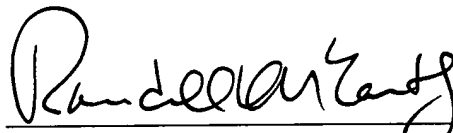
The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 13-0110.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

**13. Instructions as to Overpayment**

Refund.



Randall K. McCarthy, Reg. No. 39,297

CROWE & DUNLEVY

1800 Mid-America Tower

20 North Broadway

Oklahoma City, Oklahoma 73102

Telephone: 405-235-7700

Facsimile: 405-239-6651

**14. ☒ Incorporation by reference of added pages**

*(check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED)*

- ☒ Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed

Number of pages added

6

☒ Plus Added Pages for Papers Referred to in Items 4 and 5 above

1. Preliminary Amendment (4 pages)
2. Information Disclosure Statement and PTO/SB/08A and 08B (9 pages)
3. Combined Declaration and Power of Attorney by Assignee (8 pages)
4. Copy of Notification of Filing Continuing, Divisional or Continuing Prosecution Application in U.S. Serial No. 09/114,956 (1 page)

Number of pages added **22 pages & a return postcard**

       ☐ Plus added pages deleted names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.

Number of pages added                     

☒ Plus copies of Recorded Assignment Documents, including: Notice of Recordation of Assignment Document (2 pages), Recordation Form Cover Sheet - Patents Only (FORM PTO-1595) (1 page) and attached Assignment (2 pages)

Number of pages added       **5**      

**15. Statement Where No Further Pages Added**

*(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item.)*

☐ this transmittal ends with this page.

EXPRESS MAIL RECEIPT NO. EK532449806US  
DEPOSITED ON MARCH 28, 2000  
Attorney's Docket No.: 22993

PATENT APPLICATION

Inventor(s): Stephen R. Genheimer, Kenneth L. Pottebaum, Jon P. Baker and John D. Stricklin

For: ACTUATOR ASSEMBLY MOUNTED DISC SNUBBER (As Amended)

ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE  
BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

NOTE: See 37 CFR 1.78(a)

16. Relate Back

**Warning:** If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. 120, 121 or 365(c). (35 U.S.C. 154(a)(2) does not take into account, for the determination of the patent term any application on which priority is claimed under 35 U.S.C. 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the application should consider cancelling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

(complete the following, if applicable)

☐ Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. 119(e)

NOTE: "Any nonprovisional application claiming the benefit of one or more prior filed copending provisional applications must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior provisional application, identifying it as a provisional application, and including the provisional application number (consisting of series code and serial number)." 37 CFR § 1.78(a)(4).

☒ "This application claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

60/009,172

December 22, 1995

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed [4-1.1] - Page 1 of 6)

(Rel. 79 - 4/99 Pub. 605)

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**B. 35 U.S.C. 120, 121 AND 365(c)**

**NOTE:** "Except for a continued prosecution application filed under § 1.53(d), any nonprovisional application claiming the benefit of one or more prior filed copending nonprovisional applications or international applications designating the United States of America must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior application, identifying it by application number (consisting of the series code and serial number) or international application number and international filing date and indicating the relationship of the applications. Cross-references to other related applications may be made when appropriate. (See § 1.14(a))." 37 CFR § 1.78(a)(2).

☒ "This application is a

- ☒ continuation
- ☐ continuation-in-part
- ☐ divisional

of copending application(s)

- ☒ application number 09/114,956 filed on July 13, 1998  
application number 08/659,338 filed on June 6, 1996."
- ☐ International Application \_\_\_\_\_ filed on \_\_\_\_\_ and which designated the U.S."

**NOTE:** The proper reference to a prior filed PCT application that entered the U.S. national phase is the U.S. serial number and the filing date of the PCT application that designated the U.S.

**NOTE:** (1) Where the application being transmitted adds subject matter to the International Application, then the filing can be as a continuation-in-part or (2) if it is desired to do so for other reasons then the filing can be as a continuation.

**NOTE:** The deadline for entering the national phase in the U.S. for an international application was clarified in the Notice of April 28, 1987 (1079 O.G. 32 to 46) as follows:

"The Patent and Trademark Office considers the International application to be pending until the 22nd month from the priority date if the United States has been designated and no Demand for International Preliminary Examination has been filed prior to the expiration of the 19th month from the priority date and until the 32nd month from the priority date if a Demand for International Preliminary Examination which elected the United States of America has been filed prior to the expiration of the 19th month from the priority date, provided that a copy of the international application has been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively. If a copy of the international application has not been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively, the international application becomes abandoned as to the United States 20 or 30 months from the priority date respectively. These periods have been placed in the rules as paragraph (h) of § 1.494 and paragraph (i) of § 1.495. A continuing application under 35 U.S.C. 365(c) and 120 may be filed anytime during the pendency of the international application."

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed [4-1.1] - Page 2 of 6)

(Rel. 79 - 4/99 Pub. 605)

::ODMA\PCDOCS\CROWE\_HQ\725154\1

- ☐ "The nonprovisional application designated above, namely application \_\_\_\_\_, filed claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

- ☐ "Where more than one reference is made above, please combine all references into one sentence.

### 17. Relate Back - 35 U.S.C. 119 Priority Claim for Prior Application

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17B, in turn itself claim(s) foreign priority(ies) as follows:

Country	Appln. no.	Filed on
---------	------------	----------

The certified copy(ies) has (have)

- ☐ been filed on \_\_\_\_\_, in prior application \_\_\_\_\_, which was filed on \_\_\_\_\_.
- ☐ is (are) attached.

**WARNING:**

*The certified copy of the priority application that may have been communicated to the PTO by the International Bureau may not be relied on without any need to file a certified copy of the priority application in the continuing application. This is so because the certified copy of the priority application communicated by the International Bureau is placed in a folder and is not assigned a U.S. serial number unless the national stage is entered. Such folders are disposed of if the national stage is not entered. Therefore, such certified copies may not be available if needed later in the prosecution of a continuing application. An alternative would be to physically remove the priority documents from the folders and transfer them to the continuing application. The resources required to request transfer, retrieve the folders, make suitable record notations, transfer the certified copies, enter and make a record of such copies in the Continuing Application are substantial. Accordingly, the priority documents in folders of international applications that have not entered the national stage may not be relied on. Notice of April 28, 1987 (1079 O.G. 32 to 46).*

### 18. Maintenance of Copendency of Prior Application

**NOTE:** The PTO finds it useful if a copy of the petition filed in the prior application extending the term for response is filed with the papers constituting the filing of the continuation application. Notice of November 5, 1985 (1060 O.G. 27).



- A. ☐ Extension of time in prior application  
(This item must be completed and the papers filed in the prior application, if the period set in the prior application has run.)

☐ A petition, fee and response extends the term in the pending **prior** application until \_\_\_\_\_.

☐ A **copy** of the petition filed in prior application is attached.

- B. ☐ Conditional Petition for Extension of Time in Prior Application

(complete this item, if previous item not applicable)

☐ A conditional petition for extension of time is being filed in the pending **prior** application.

☐ A **copy** of the conditional petition filed in the prior application is attached.

19. **Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

(Complete applicable item (a), (b) and/or (c) below)

- (a) ☒ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application is

☒ the same.

☐ less than those named in the prior application. It is requested that the following inventor(s) identified for the prior application be deleted:

\_\_\_\_\_  
(type name(s) of inventor(s) to be deleted)

- (b) ☐ This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventors in this application are

☐ the same.

☐ the following additional inventor(s) have been added:

\_\_\_\_\_  
(type name(s) of inventor(s) to be added)

20. **Abandonment of Prior Application (if applicable)**

- ☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

*NOTE: According to the Notice of May 13, 1983 (103, TMOG 6-7), the filing of a continuation or continuation-in-part application is a proper response with respect to a petition for extension of time or a petition to revive and should include the express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application.*

21. **Petition for Suspension of Prosecution for the Time Necessary to File an Amendment**

**WARNING:** *"The claims of a new application may be finally rejected in the first Office action in those situations where (1) the new application is a continuing application of, or a substitute for, an earlier application, and 92) all the claims of the new application (a) are drawn to the same invention claimed in the earlier application, and (b) would have been properly finally rejected on the grounds of art of record in the next Office action if they had been entered in the earlier application." MPEP, § 706.07(b).*

*NOTE: Where it is possible that the claims on file will give rise to a first action final for this continuation application and for some reason an amendment cannot be filed promptly (e.g., experimental data is being gathered) it may be desirable to file a petition for suspension of prosecution for the time necessary.*

*(check the next item, if applicable)*

- ☐ There is provided herewith a Petition to Suspend Prosecution for the Time Necessary to File An Amendment (New Application Filed Concurrently)

22. **Small Entity (37 CFR 1.28(a))**

- ☐ Applicant has established small entity status by the filing of a verified statement in parent application \_\_\_\_ on \_\_\_\_.
- ☐ A copy of the verified statement previously filed is included.

**WARNING:** *See 37 CFR § 1.28(a)*

1000 999 998 997 996 995 994 993 992 991 990 989 988 987 986 985 984 983 982 981 980 979 978 977 976 975 974 973 972 971 970 969 968 967 966 965 964 963 962 961 960 959 958 957 956 955 954 953 952 951 950 949 948 947 946 945 944 943 942 941 940 939 938 937 936 935 934 933 932 931 930 929 928 927 926 925 924 923 922 921 920 919 918 917 916 915 914 913 912 911 910 909 908 907 906 905 904 903 902 901 900 899 898 897 896 895 894 893 892 891 890 889 888 887 886 885 884 883 882 881 880 879 878 877 876 875 874 873 872 871 870 869 868 867 866 865 864 863 862 861 860 859 858 857 856 855 854 853 852 851 850 849 848 847 846 845 844 843 842 841 840 839 838 837 836 835 834 833 832 831 830 829 828 827 826 825 824 823 822 821 820 819 818 817 816 815 814 813 812 811 810 809 808 807 806 805 804 803 802 801 800 799 798 797 796 795 794 793 792 791 790 789 788 787 786 785 784 783 782 781 780 779 778 777 776 775 774 773 772 771 770 769 768 767 766 765 764 763 762 761 760 759 758 757 756 755 754 753 752 751 750 749 748 747 746 745 744 743 742 741 740 739 738 737 736 735 734 733 732 731 730 729 728 727 726 725 724 723 722 721 720 719 718 717 716 715 714 713 712 711 710 709 708 707 706 705 704 703 702 701 700 699 698 697 696 695 694 693 692 691 690 689 688 687 686 685 684 683 682 681 680 679 678 677 676 675 674 673 672 671 670 669 668 667 666 665 664 663 662 661 660 659 658 657 656 655 654 653 652 651 650 649 648 647 646 645 644 643 642 641 640 639 638 637 636 635 634 633 632 631 630 629 628 627 626 625 624 623 622 621 620 619 618 617 616 615 614 613 612 611 610 609 608 607 606 605 604 603 602 601 600 599 598 597 596 595 594 593 592 591 590 589 588 587 586 585 584 583 582 581 580 579 578 577 576 575 574 573 572 571 570 569 568 567 566 565 564 563 562 561 560 559 558 557 556 555 554 553 552 551 550 549 548 547 546 545 544 543 542 541 540 539 538 537 536 535 534 533 532 531 530 529 528 527 526 525 524 523 522 521 520 519 518 517 516 515 514 513 512 511 510 509 508 507 506 505 504 503 502 501 500 499 498 497 496 495 494 493 492 491 490 489 488 487 486 485 484 483 482 481 480 479 478 477 476 475 474 473 472 471 470 469 468 467 466 465 464 463 462 461 460 459 458 457 456 455 454 453 452 451 450 449 448 447 446 445 444 443 442 441 440 439 438 437 436 435 434 433 432 431 430 429 428 427 426 425 424 423 422 421 420 419 418 417 416 415 414 413 412 411 410 409 408 407 406 405 404 403 402 401 400 399 398 397 396 395 394 393 392 391 390 389 388 387 386 385 384 383 382 381 380 379 378 377 376 375 374 373 372 371 370 369 368 367 366 365 364 363 362 361 360 359 358 357 356 355 354 353 352 351 350 349 348 347 346 345 344 343 342 341 340 339 338 337 336 335 334 333 332 331 330 329 328 327 326 325 324 323 322 321 320 319 318 317 316 315 314 313 312 311 310 309 308 307 306 305 304 303 302 301 300 299 298 297 296 295 294 293 292 291 290 289 288 287 286 285 284 283 282 281 280 279 278 277 276 275 274 273 272 271 270 269 268 267 266 265 264 263 262 261 260 259 258 257 256 255 254 253 252 251 250 249 248 247 246 245 244 243 242 241 240 239 238 237 236 235 234 233 232 231 230 229 228 227 226 225 224 223 222 221 220 219 218 217 216 215 214 213 212 211 210 209 208 207 206 205 204 203 202 201 200 199 198 197 196 195 194 193 192 191 190 189 188 187 186 185 184 183 182 181 180 179 178 177 176 175 174 173 172 171 170 169 168 167 166 165 164 163 162 161 160 159 158 157 156 155 154 153 152 151 150 149 148 147 146 145 144 143 142 141 140 139 138 137 136 135 134 133 132 131 130 129 128 127 126 125 124 123 122 121 120 119 118 117 116 115 114 113 112 111 110 109 108 107 106 105 104 103 102 101 100 99 98 97 96 95 94 93 92 91 90 89 88 87 86 85 84 83 82 81 80 79 78 77 76 75 74 73 72 71 70 69 68 67 66 65 64 63 62 61 60 59 58 57 56 55 54 53 52 51 50 49 48 47 46 45 44 43 42 41 40 39 38 37 36 35 34 33 32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

☒ A notification of the filing of this (check one of the following)

☒ continuation

☐ continuation-in-part

☐ divisional

is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

COPY

EXPRESS MAIL RECEIPT NO.: EK53309451788  
DEPOSITED ON MARCH 28, 2000

PATENT  
Dkt. 22306

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stephen R. Genheimer, Kenneth L. Pottebaum, Jon P. Baker and  
John D. Stricklin

Assignee: SEAGATE TECHNOLOGY, INC.

Application No.: 09/114,956

Group Art Unit: 2754

Filed: July 13, 1998

Examiner: W. Klimowicz

For: ACTUATOR ASSEMBLY MOUNTED  
DISC SNUBBER

Notice of Allowance Mailed: 12/28/99

Batch: G27

JC564 U.S. PTO  
09/537816  
03/28/00

Box Issue Fee  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NOTIFICATION OF FILING OF CONTINUING,  
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION

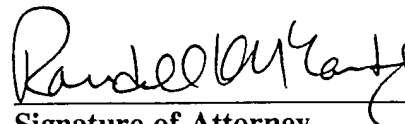
Notification is hereby made of the filing of a:

- ☒ Continuation
- ☐ Continuation-in-part
- ☐ Divisional
- ☐ Continued prosecution

application for this case

- ☒ concurrently herewith entitled ACTUATOR ASSEMBLY MOUNTED DISC SNUBBER (As Amended); Attorney Docket No. 22993

☐ on \_\_\_\_\_  
Date

  
Signature of Attorney

Reg. No.: 39,297

Tel. No.: (405) 235-7700

Fax No.: (405) 239-6651

Randall K. McCarthy  
(type or print name of attorney)  
Crowe & Dunlevy  
1800 Mid America Tower  
20 N. Broadway  
Oklahoma City, OK 73102-8273

Approved  
WJK 11-29-00



6-21-00  
gm

**EXPRESS MAIL RECEIPT NO.: EK532449806US**  
**DEPOSITED ON MARCH 28, 2000**

**DKT. 22993**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Stephen R. Genheimer, Kenneth L. Pottebaum, Jon P. Baker and John D. Stricklin**

Assignee: **SEAGATE TECHNOLOGY, INC.**

Application No.: **Not Yet Assigned**

Group Art Unit: **Unknown**

Filed: **March 28, 2000**

Examiner: **Unknown**

For: **ACTUATOR ASSEMBLY MOUNTED  
DISC SNUBBER (As Amended)**

**Box Patent Application**

**Assistant Commissioner for Patents (Attention: Draftsman)**  
**Washington, D.C. 20231**

**SUBMISSION OF PROPOSED DRAWING AMENDMENT  
FOR APPROVAL BY EXAMINER (37 CFR 1.123)**

Attached please find

*(check applicable items)*

- ☐ a sketch in permanent ink,  
☒ a copy of the original drawing(s) with red ink markings,

showing the proposed changes to the drawing(s) in this application, for which the approval of the Examiner is requested.

Respectfully submitted,

**SIGNATURE OF ATTORNEY**

Reg. No.: 39,297

**Randall K. McCarthy**

(type or print name of attorney)

**Crowe & Dunlevy**

**1800 Mid-America Tower**

**20 N. Broadway**

**Oklahoma City, Oklahoma 73102-8273**

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